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Filing date: **06/17/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91185103
Party	Defendant Tiffany Adams
Correspondence Address	Anna M. Vradenburgh Piccionelli & Sarno 2801 Townsgate Road, Suite 200 Westlake Village, CA 91361 UNITED STATES generalmail@piccionellisarno.com
Submission	Other Motions/Papers
Filer's Name	Anna M. Vradenburgh
Filer's e-mail	generalmail@piccionellisarno.com
Signature	/anna m vradenburgh/
Date	06/17/2009
Attachments	rev-supplementaldeclaration.pdf (3 pages)(177217 bytes) EXH 1 to RevSuppl Decl.pdf (2 pages)(85237 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Cherokee Nation,

Opposer

v.

Tiffany Adams

Applicant

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Opposition No. 91,185,103

[Serial Nos. 78/748,323]

**REVISED SUPPLEMENTAL DECLARATION IN SUPPORT OF
MOTION TO STRIKE**

REVISED SUPPLEMENTAL DECLARATION OF ANNA M. VRADENBURGH

The undersigned, Anna M. Vradenburgh, declares the following:

1. I am an attorney licensed to practice law in the State of California and licensed before the United States Patent and Trademark Office. I am an attorney with the firm of Piccionelli & Sarno, the current attorneys of record for the Applicant Tiffany Adams in Opposition No. 91,185,103.

2. On or about March 19, 2009, the undersigned had a telephone conversation with Brandon Rule, Opposer's counsel. In that telephonic conversation, Opposer's counsel agreed to an extension of time in which to respond to the Motion for Summary Judgment, and further, agreed to a 30-day extension of time to file responses to the discovery responses served on March 16, 2009. No specific date was calculated by counsel at the time; however, the undersigned calculated the extension date to be May 20, 2009. This information was confirmed in an electronic mail message transmitted to Mr. Rule on March 23, 2009, attached herewith as Exhibit 1.

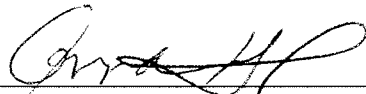
3. On March 24, 2009, Mr. Rule confirmed the 30-day extension of time to respond to discovery requests, and did not dispute the undersigned's confirmation of the May 20, 2009, date. See Exhibit 1.

4. Responses to all discovery requests, including admissions, were timely served on May 11, 2009. Accordingly, Opposer's contention in Opposer's Reply in Support of Its Motion for Summary Judgment that Applicant's discovery responses were untimely is false, or at best, a mistake.

The undersigned, Anna M. Vradenburgh, declares under the penalty of perjury of the laws of the United States and the State of California that the foregoing is true and correct; and the undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, that all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Dated: June 17, 2009

By:



Anna M. Vradenburgh

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF VENTURA

I am employed in the County of Ventura, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 2801 Townsgate Road, Suite 200, Westlake Village, California 91361.

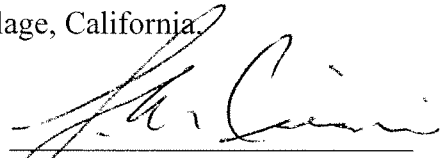
On June 17, 2009, I served the following document(s) described as REVISED SUPPLEMENTAL DECLARATION IN SUPPORT OF MOTION TO STRIKE on the interested parties in this action by placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

Anthony J. Jorgenson
Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.
320 South Boston Avenue, Suite 400
Tulsa, OK 74103

- ☒ BY MAIL: I caused such envelope to be deposited in the mail at Westlake Village, California. I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.
- ☐ BY PERSONAL SERVICE: I delivered such envelope by hand to the offices of the addressee(s) listed above.
- ☐ BY FACSIMILE: I caused the above document(s) to be transmitted to the office of the addressee(s) listed above.
- ☐ BY EXPRESS MAIL: I caused the document(s) to be delivered by overnight Express Mail via the United States Postal Service "Express Mail Post Office to Addressee" to the addressee(s) listed above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 17, 2009, at Westlake Village, California



Lori A. Ciccio

From: anna@piccionellisarno.com <anna@piccionellisarno.com>

To: brule@hallestill.com

Cc:

Date: Monday, March 23, 2009 06:40 pm

Subject: Cherokee stipulated consent

Hi Brandon,

Here is the draft stipulated consent agreement. If this is acceptable, please have it signed and faxed back to me or emailed. We will file upon receipt.

Further, this confirms our conversation of March 19, 2009, wherein you agreed to extend the dates to respond to the discovery requests served on March 16, 2009, until May 20, 2009.

Best regards,
Anna

Attachments:  exttime-smj.doc (32KB)

From: Brandon Rule <brule@HallEstill.com>

To: anna@piccionellisarno.com

Cc: Anthony Jorgenson <AJorgenson@HallEstill.com>

Date: Tuesday, March 24, 2009 02:55 pm

Subject: RE: Cherokee stipulated consent

_____ j. However, as we discussed previously, we will stipulate to a 30 day extension of the deadline for Applicant's responses to our discovery requests. Thanks for your consideration on this matter. If you need anything further regarding the joint stipulation, please do not hesitate to contact me.

Thanks,
Brandon

-----Original Message-----

From: anna@piccionellisarno.com [mailto:anna@piccionellisarno.com]

Sent: Monday, March 23, 2009 06:40 PM

To: brule@hallestill.com

Subject: Cherokee stipulated consent

Importance: High

Hi Brandon,

Here is the draft stipulated consent agreement. If this is acceptable, please have it signed and faxed back to me or emailed. We will file upon receipt.

Further, this confirms our conversation of March 19, 2009, wherein you agreed to extend the dates to respond to the discovery requests served on March 16, 2009, until May 20, 2009. We reminded you that since you requested a stay of all trial dates, if the case was suspended, it is likely that the Board will suspend our time in which to respond to discovery until after the disposition of the Motion for Summary Judgement. Please advise us